

# **MINUTES**

## **REGULAR MEETING OF THE NEWTON CITY COUNCIL – JULY 13, 2010**

The regular meeting of the Newton City Council was held on Tuesday, July 13, 2010 at 7:00 p.m. in the Council Chambers at City Hall with the following present: Mayor Robert A. Mullinax and Council Members Wayne Dellinger, Mary Bess Lawing, Tom Rowe, Bill Lutz, Robert C. Abernethy, Jr., and Mayor Pro Tem Anne Stedman.

Also in attendance were City Manager Todd Clark, City Attorney Larry Pitts, Public Information Officer Gary Herman, City Department Heads, and members of the Management Team. City Clerk Bootsie Roberts was absent from the meeting.

### **ITEM 1. CALL TO ORDER – ROBERT A. MULLINAX:**

Mayor Robert A. Mullinax called the meeting to order and welcomed everyone to the meeting.

### **ITEM 2. OPENING – COUNCIL MEMBER ROBERT C. ABERNETHY, JR.**

Council Member Robert C. Abernethy, Jr. provided the invocation and led the audience in the Pledge of Allegiance.

### **ITEM 3. APPROVAL OF MINUTES FROM THE JUNE 15, 2010 REGULAR COUNCIL MEETING:**

A motion was made by Council Member Mary Bess Lawing, seconded by Council Member Robert C. Abernethy, Jr., and unanimously adopted to approve the minutes from the June 15, 2010 regular meeting as submitted.

### **ITEM 4. CONSIDERATION OF CONSENT AGENDA ITEMS:**

A motion was made by Mayor Pro Tem Anne Stedman, seconded by Council Member Mary Bess Lawing, and unanimously adopted to approve the Consent Agenda Items as submitted.

#### **A. Tax Releases – June 2010**

The following tax releases have been received from the Catawba County Tax Collector. The reason for each release is annotated beside the name.

<b>Tax Year</b>	<b>Tax Release Number</b>	<b>Name</b>	<b>Reason</b>	<b>Amount of Release</b>
2008	26	Beach, Harold	74 GMC Scrapped Several Years Ago	\$5.28
2009	27	Beach, Harold	74 GMC Scrapped Several Years Ago	\$5.28

**B. Proclamation proclaiming Parks and Recreation Month**

Mayor Mullinax said he is always proud of what Newton does in terms of parks and recreation. He also invited the public to attend the dedication of the new Jacob Fork Park on Friday, July 16 at 5:30 p.m.

**C. Proclamation proclaiming National Independent Retailers Month**

**D. Consideration of Subdivision Review Board – Rules and Procedures Manual**

**E. Consideration of Public Fee Structure for Public Events – 2010 Soldiers Reunion Celebration Week Activities**

**ITEM 5. COMMENTS FROM THE PUBLIC: (PERSONS WANTING TO MAKE A PUBLIC COMMENT ON NON-AGENDA ITEMS ARE REQUESTED TO SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING):**

Mayor Mullinax asked if there was anyone in the audience who wanted to speak on a non-agenda item. He recognized Mr. Gary Lafone, who introduced himself as a candidate for North Carolina House of Representatives District 96, which includes much of Newton. Mr. Lafone said he has a local government background serving as Conover Police Chief, and that he recently walked two streets in Newton to garner local support.

**ITEM 6. OLD BUSINESS:**

**A. Consideration of Downtown Newton Streetscape Master Plan**

Mayor Mullinax noted that the Downtown Newton Streetscape Master Plan has already been adopted by the Downtown Newton Development Association, and was being presented to the City Council for consideration, discussion, and adoption.

Planning Director/Assistant City Manager Glenn J. Pattishall said the Master Plan Committee released a draft plan in February 2010, which was presented to the City Council at its 2010 annual planning workshop. A drop-in public review was held downtown on April 1, and the DNDA Board of Directors approved the plan on May 11. The plan was also available for public review on May 18, just prior to the City Council meeting at which the plan was formally presented. Mr. Pattishall said that staff has been collecting comments about the plan and is excited about the final draft presented to the City Council.

Council Member Robert C. Abernethy, Jr. said he is very excited about the plan in general, and noted that the process couldn't have been easy. Council Member Abernethy said he looks forward to the incorporation of the wayfinding signs, noting that is one of the first things he would like to see accomplished as part of the plan. Council Member Abernethy complimented staff and volunteers on the plan and thanked them for their hard work.

Council Member Mary Bess Lawing said that the master plan has been in the works for many years and it is great to see the plan finally being presented to the City Council.

Mayor Pro Tem Anne Stedman said the plan did not cost the City any money since staff and volunteers prepared the plan themselves.

Mayor Mullinax said he had two concerns with the master plan: bump-outs and brick pavers. He advised staff to exercise caution when implementing these two elements, and to not create any hazards. Mayor Mullinax also related that the plan says there is enough parking in the downtown area, but he believes that it is still an issue to be considered. The Mayor also expressed his appreciation to staff and volunteers who spent hundreds of hours working on the master plan. He believes the plan will do great things for the City of Newton.

In reference to the pavers and bump-outs, Council Member Wayne Dellinger asked if the plan can be changed when the time comes. Mayor Mullinax said that yes, the plan can be changed. Mr. Pattishall said it is not an engineering plan, and that it is very flexible.

Mayor Mullinax said that growing the downtown area is not a perfect science, but the plan attempts to fulfill the City's vision and dreams.

A motion was made by Mayor Pro Tem Anne Stedman, seconded by Council Member Mary Bess Lawing, and unanimously adopted to approve the Downtown Newton Streetscape Master Plan.

## **ITEM 7. NEW BUSINESS:**

### **A. Second Quarter Downtown Newton Development Association Report – Jeremy Petty – DNDA Chairperson**

DNDA Chairperson Jeremy Petty said he wanted to speak to the City Council on the generalities of what the DNDA committees are trying to accomplish. He noted that the approval of the Downtown Newton Streetscape Plan was a step in the right direction for the DNDA Design Committee. He noted that the master plan is a "living, breathing document."

Mr. Petty said the Economic Restructuring Committee took another step toward securing a downtown historic district status by obtaining an informal quote on the preparation of a nomination for a downtown historic district. He said the initial quote was \$520 for the preparation of a study list application, with the cost for the complete nomination estimated at \$5,500. Mr. Petty said that the DNDA is not asking the City for any funding. He believes establishing a downtown historic district will have a positive outcome with people wanting to invest in the downtown area. Mr. Petty said he believes Newton is a good candidate for becoming a downtown historic district.

Mr. Petty said the Organization Committee mailed a fundraising and volunteer recruitment letter in May. The letter has generated a few volunteer applications and donations from two DNDA supporters. He said the DNDA is trying to become self sufficient, as requested by Council Member Robert C. Abernethy, Jr. Mr. Petty also noted that the Organization Committee will be using the 2008-2009 appropriation for façade grants for the 2010 Makeover Project, as approved by the City Council on April 6, 2010.

Mr. Petty also mentioned that two members will be rotating off the DNDA Board of Directors – one due to term limit and one due to resignation. He informed the Council that two new members – Mark Childers and Lee Yount, Jr. – have already been appointed.

Mr. Petty said the Promotion Committee has sold enough advertisements (approximately 40 ads) to create the 2010-2011 Soldiers Reunion Calendar, a 16-month calendar which will include lots of old photographs as well as some photos from the 2009 parade. The committee hopes to have the calendar ready to sell for the 2010 Soldiers Reunion Week. He said the calendar project was successful last year, and hopes for another successful venture with this project. Mr. Petty said the Promotion Committee will be starting work on the Makeover Project as soon as the calendar project is completed.

Mayor Mullinax said he believes that establishing a downtown historic district is the next logical step for the DNDA to take. He said a public forum needs to be scheduled by the City Council, if the DNDA is ready. Mayor Mullinax said the City is prepared to hold a work session and public information session when convenient for all parties involved.

#### **B. Consideration of Energy Efficiency and Conservation Block Grant**

Wilce Martin, Director of Public Works & Utilities, told the City Council that the City applied for and was awarded an Energy Efficiency and Conservation Block Grant from the North Carolina Department of Commerce. The grant is \$53,303 with an additional \$10,000 in leveraged funds, and will pay to replace existing lighting in City buildings. Mr. Martin said that City staff has applied for an energy efficiency grant from ElectriCities, which if approved, would pay approximately \$5,000 (50 percent) of the \$10,000 leveraged funds. The ElectriCities Board of Directors was to consider the application at their July 23<sup>rd</sup> meeting.

Mr. Martin said the City will have to submit invoices to the State to be reimbursed for funds spent on the project; therefore, the City needs to appropriate \$63,350 initially.

Mr. Martin said estimated cost savings will be \$17,000 per year from replacing existing lighting with energy efficient lighting.

Finance Director Serina Hinson said the money should be appropriated from the General Fund. Mayor Mullinax asked why the funds should not come from the Electric Fund. Mrs. Hinson stated that most of the costs related to the project would come from the General Fund as the majority of the project is for buildings in the General Fund.

Mayor Mullinax summarized the project by stating that the worst-case scenario for the City is spending \$10,000 from the General Fund. Council Member Mary Bess Lawing agreed, stating that the most the City would spend would be \$10,000, but probably about \$5,000, based on what the City receives from ElectriCities.

A motion was made by Council Member Bill Lutz, seconded by Council Member Tom Rowe, and unanimously adopted to approve the \$63,350 capital budget ordinance to fund the refurbishment of City facilities with energy-efficient lighting.

**(ORDINANCE #2010-15 IS HEREBY REFERENCED  
AND ON FILE IN THE OFFICE OF THE CITY CLERK)**

### **C. Presentation of proposed Zoning and Subdivision Ordinance Text Amendments and Call for a Public Hearing**

Assistant Planning Director Alex Fulbright reported that the Newton Planning Commission decided the best way to implement common elements of the Eastside Area Plan and Southeast Area Plan would be to implement the elements citywide as they would not only address the needs of the Eastside and Southeast areas, but also address some issues that have surfaced as a result of the Core Area Plan process. Mr. Fulbright noted that 38 pages of Planning Commission meeting minutes were included in the City Council's agenda packet to demonstrate the Planning Commission's thorough discussion of the matter.

Mr. Fulbright presented several recommended amendments to the Subdivision Ordinance, including:

- Cul-de-sac Streets - Changes the maximum length of cul-de-sacs to 565 feet.
- Open Space and Urban Services Districts - Increases open space requirements by 500 square feet per lot.
- Sidewalks, Greenways, and other Pedestrian Facilities - Requires 5-foot sidewalks on both sides of all new streets, with some exceptions for smaller subdivisions.
- Access and Connectivity - Requires access and connectivity based on the International Fire Code. Mayor Mullinax used the example of "The Falls" subdivision, in which the City Council allowed the developer to only have one access point. Fire Chief Kevin Yoder said that the Council recently adopted appendices to the Fire Code, which requires improved access and connectivity.

Mr. Fulbright then presented several recommended amendments to the Zoning Ordinance, including:

- Buffer and Screening - Allows topography to be taken into consideration to determine the location of screening and use natural vegetation when practical next to a stream or other drainage feature.
- Manufactured Home Appearance Criteria – Brings singlewide mobile home standards in line with doublewide standards, except not requiring masonry skirting for singlewides in mobile-home parks.
- Vehicle Access and Circulation – Allows a maximum of one driveway for each new development, which is intended to decrease road congestion and increase the life span of streets in Newton.
- Pedestrian Access and Circulation – Requires that redevelopment projects provide sidewalks along existing adjacent street frontages and sidewalks and other pedestrian amenities within the development. Mayor Mullinax asked for an example of this requirement. Mr. Fulbright said the Food Lion on West NC 10 Hwy. is a good example.
- Minimum Building Appearance Criteria for Non-Residential Buildings – Requires roofs to have eaves or parapet walls dependent on the roof pitch; facades that face and/or are visible from a street need to have elements of architectural interest; primary entrances need to be oriented toward a street; service entrances and loading areas are not to be visible

from a street; colors of exterior surfaces should be harmonious to surrounding environment; and temporary walls are allowed provided that they meet certain criteria. Mr. Fulbright said the draft amendments are less restrictive than the St. Pauls Overlay District.

Mr. Fulbright noted that the City Council will need to schedule a public hearing to allow public input on the text amendments. Mayor Mullinax said a work session would probably be necessary as well. After some discussion, Mayor Mullinax proposed holding a work session at 6:00 p.m. just prior to the second meeting in September. The public hearing would be held at that 7:00 p.m. meeting.

#### **D. Report on the Electric Utility Upgrade**

City Manager Todd Clark said the City has been converting 4 kV electric lines to 25 kV. He said the Council asked for a report on the project and the related financing.

Wilce Martin, Director of Public Works & Utilities, said that Robert Vise of Southeastern Consulting presented an overview to the Council on the City's existing electrical system at the October 4, 2005 meeting. Mr. Vise recommended that the City convert all 4 kV loads to 25 kV as recommended in the Electric Distribution System Study completed in January 2004. Mr. Martin said the conversion was a necessity as the system was getting old. The City was looking at a 10-year period to complete the project.

Mr. Martin said the Council initially appropriated \$50,000 to establish a Capital Project and borrowed \$1,021,000 to start work on phase one of the project in 2006. In 2009, an additional \$2,900,000 was borrowed, of which \$1,930,000 was set aside for projects included in the electric system study. Mr. Martin said the study showed an approximate cost of \$7,716,187 over a 10-year period, and a 1% additional rate increase each year to pay for the debt service. Mr. Martin said the Council has appropriated \$3,001,000 for associated projects, with \$2,219,507.80 spent.

Council Member Wayne Dellinger said the totals did not seem to add up, but Mr. Martin explained that the \$3,001,000 did not include all of the \$2,900,000 because some of it was for other electrical projects. Mr. Martin said that only the \$1,021,000 and the \$1,930,000 were spent on the conversion from 4 kV to 25 kV.

Mayor Mullinax said the City didn't increase electric rates by the additional 1% for the last two budgets, and borrowing has been suspended as the project is now on hold.

Mr. Martin briefly explained the two pull-out maps that showed the lines that have already been converted, as well as information about the Jacob Fork Electric Delivery Station. He also briefly explained the electric system study and accompanying funding percentages.

Mayor Mullinax said the City has accomplished a lot with this project, and he hopes the City can get back on track as it is beneficial to citizens.

Council Member Robert C. Abernethy, Jr. asked if the \$1,056,000 to build a 100 kV transmission line from Duke Energy to the Newton-Conover connector area was not necessary since the item was marked "not applicable." Doug Wesson, Electric Utility Division

Manager, said the new substation was originally going to be built on the Hwy. 16 bypass, but the project was adjusted to build the station near Jacob Fork Park. Mr. Wesson said there were some savings realized due to this change.

**E. Consideration of Governor's Highway Safety Program Grant and related Budget Ordinance Amendment**

Police Chief Don Brown said the department applied for a grant earlier in the year for a Traffic Safety Officer. On May 19, the department received acceptance and approval of the application, with final approval expected in late September. To accept the grant, Chief Brown asked the Council to adopt a resolution and appropriate funding for the officer, equipment, and a fully-equipped vehicle.

Chief Brown said the grant is a four-year commitment with the first year of funding for the officer's salary and benefits (\$46,210) and a fully-equipped vehicle (\$55,000). The grant amount for the first year would be \$86,028.50 plus a City match of \$15,181.50, for a total of \$101,210. The City match would increase to 30 percent in the second year, a 50 percent match in the third year, and a 100 percent match in the fourth year.

Council Member Wayne Dellinger asked what the matching funds would total over the four-year period. Chief Brown said the City would be obligated for \$105,000. Council Member Mary Bess Lawing said that the economy will hopefully be improved in the next four years, and the City would still have the officer and the equipment.

Council Member Dellinger said the Council is currently worrying about fund balance and the budget in general, and that \$105,000 is difficult to obligate at this time. Council Member Lawing said there are problems in Newton, and she believes the City needs all the help it can get. Chief Brown said that having a Traffic Safety Officer would free up other officers. City Manager Clark stated that at the time of the initial application, Chief Brown felt a need for an additional officer.

A motion was made by Council Member Mary Bess Lawing, and seconded by Mayor Pro Tem Anne Stedman, followed by discussion.

Council Member Dellinger said the City would be obligating \$105,000 from the General Fund, to which Council Member Tom Rowe said that it would be over a four-year period.

Council Member Robert C. Abernethy, Jr. said the Council tried to project and determine the future of the economy during budget discussions. He said Council Member Dellinger was optimistic about using funds to eliminate the water and sewer rate increases, but others on the Council disagreed at that time. Council Member Abernethy said the Council must be cautious with spending. He said the number-one job for government officials is public safety.

Mayor Pro Tem Anne Stedman said that Chief Brown applied for the grant due to need, and said she believes the grant to be a good way to fund an employee and equipment.

Mayor Mullinax asked what commitment the City would have after the four-year period. Chief Brown said the City would have no commitment at that time. Mayor Mullinax asked if the vehicle purchased with the grant would be the City's property, which Chief Brown confirmed.

Council Member Bill Lutz said he wants the citizens of Newton to have the best fire and police protection, but is concerned about the \$105,000 commitment. He asked if this officer and equipment is something the City can do without. Chief Brown said Newton is probably average in terms of police officers per capita. Chief Brown stated that the grant is based on accidents, citations, etc.; therefore, the Governor's Highway Safety Program saw a need in the City or it would not have awarded the grant.

Council Member Abernethy said he believes it hurts the City's standing if it receives a grant and doesn't accept it. He said a standard procedure needs to be put into effect to make the Council aware of grant opportunities before applying for them.

Mayor Mullinax said that the City Manager approved the application and if he thinks the City should do this, it is probably advantageous. City Manager Clark said Chief Brown thinks the City needs additional staffing, particularly for traffic enforcement. City Manager Clark said he endorses the grant, but the funding source must be determined.

Mayor Mullinax asked if this grant funding was included in the Police Department's 2010-2011 budget request, to which Chief Brown said no.

The motion was approved 5 to 1, with Council Member Wayne Dellinger opposed.

**Resolution #20-2010  
North Carolina Governor's Highway Safety Program  
LOCAL GOVERNMENTAL RESOLUTION  
Form GHSP-02-A**

WHEREAS, the CITY OF NEWTON POLICE DEPARTMENT (herein called the "Agency") has completed an application contract for traffic safety funding; and that the NEWTON CITY COUNCIL (The Governing Body of the Agency - herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE NEWTON CITY COUNCIL IN OPEN MEETING ASSEMBLED IN THE CITY OF NEWTON, NORTH CAROLINA, THIS 13th DAY OF JULY 2010, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That DONALD G. BROWN II, CHIEF OF POLICE is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$86,028.50 (Federal Dollar Request) to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$15,181.50 (Local Cash Appropriation) as required by the project contract; and

4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by Mayor Robert A. Mullinax

ATTESTED BY: Gary L. Herman

DATE: July 13, 2010

**(ORDINANCE #2010-16 IS HEREBY REFERENCED  
AND ON FILE IN THE OFFICE OF THE CITY CLERK)**

**F. Consideration of authorization for the Mayor to request additional  
CDBG-R Funds**

Planning Director/Assistant City Manager Glenn Pattishall said that the City received \$100,000 in CDBG-R Foreclosure Prevention Grant funds earlier in the year. Mr. Pattishall said that Newton served as the lead agency for the four-county area and was successful in assisting 35 homeowners to avoid foreclosure. He said the deadline to expend all the funds was June 30, 2010; however, \$16,389.26 was not used.

Mr. Pattishall said that during a recent conference call with the North Carolina Department of Commerce's Division of Community Assistance (DCA), he was informed that CDBG-R grant recipients must send a formal letter to DCA requesting authority to expend the remaining funds from its original award as well as request additional funds for continuation of the original grant objective. Mr. Pattishall said that at the rate the 35 homes were processed, he believes an additional \$200,000 would be beneficial. He also noted that there are no matching funds required.

A motion was made by Council Member Tom Rowe, seconded by Council Member Mary Bess Lawing, and unanimously adopted to authorize the Mayor to submit the proposed letter to DCA for authority to expend the remaining funds in the original CDBG-R grant award and to seek award of an additional \$200,000 in CDBG-R funds to continue the foreclosure prevention program.

**ITEM 8. CITY MANAGER'S REPORT:**

City Manager Todd Clark reported on the following:

- Reported that the Central Recreation Center Cafeteria has been demolished and a new parking lot has been constructed, with only landscaping work remaining.
- Reported that the City received a letter from the North Carolina Department of Environment and Natural Resources regarding the preliminary report for the Burris Road Pump Station. Mr. Clark said the City has been working with McGill & Associates for six months answering the state's questions. In

summary, he said NCDENR is giving the City the “green light” in terms of preliminary engineering for the project.

- Presented a list of surplus items to be added to GovDeals.
- Reminded the Council of the Catawba County Economic Development Corporation’s Annual Meeting on July 21. Mayor Mullinax encouraged all Council Members to attend.
- Reminded the Council about the dedication of Jacob Fork Park on Friday, July 16 at 5:30 p.m.
- Reported that recruitment for the Newton 101 Citizens Academy is under way. He encouraged citizens to enroll in this year’s program and noted that if a participant can’t attend all sessions he/she should still enroll. Mr. Clark said the schedule will be similar to the 2009 program, which started in September.
- Reported that the City was working at the Historic Newton Depot, performing grading work and tasks as needed to help accommodate the new display that is being constructed.
- Asked Public Works & Utilities Director Wilce Martin to present a departmental report. Mr. Martin reported that capital project improvements are under way at the Wastewater Treatment Plant. He also reported on street resurfacing, water line repairs, bridge on Phase II of the Heritage Trail Greenway, and a failed engine (\$5,350) for the chipper/shredder truck. Mr. Martin also reported on the City’s water supply, noting that the Jacob Fork River was flowing at approximately 30 million gallons per day (MGD), while the City is pulling an average of 4.33 MGD this year as compared to 3.8 MGD last year. Mr. Martin said the intense heat likely caused the increased water consumption, and also noted that seasonal rainfall was down 2.54 inches. Mayor Pro Tem Anne Stedman informed Mr. Martin of two intersections on West 9<sup>th</sup> Street where repairs have been made, which she believes could be dangerous to motorists.
- Reported that the Finance Department went live in June with the new utility billing system, and asked Finance Director Serina Hinson to report on the system’s implementation. Mrs. Hinson said the department had mailed two billings, on June 20 and June 30. She said that out of the 4,700 bills mailed, only a few errors have been noted. Mrs. Hinson said finance staff ran a parallel billing for the June 20 cycle to compare, but discontinued the parallel after the first cycle. Mrs. Hinson said she is very pleased with the new utility billing process, with only a few issues to work out. She noted that customers may have noticed a slight delay in receiving their bills, but staff wanted to ensure accuracy of the bills. Mrs. Hinson said that Customer Service has experienced a high call volume due to high bills, explanation of the new bills, etc. She said the high bills were the result of high temperatures and lack of rain. Mrs. Hinson also stated that the June 20 and June 30 bills reflected 35 days and 36 days, respectively. She stated that the City’s customer service policy allows the City to bill from 25 to 36 days. Mrs. Hinson said that City Staff has worked really hard to implement the new billing system. Mayor Mullinax asked if one’s bill had 35 days of billing on it, would the next month’s bill be less days, which Mrs. Hinson confirmed. City Manager Clark expressed his appreciation to Mrs. Hinson and the staff for their hard work. Mayor Mullinax also told Mrs. Hinson that she and her staff have done an excellent job.

**ITEM 9. QUESTIONS AND COMMENTS FROM MAYOR AND COUNCIL:**

None.

**ITEM 10. CLOSED SESSION TO CONSULT WITH THE CITY ATTORNEY ON ECONOMIC DEVELOPMENT – G.S. 160A-318 (11)(a)(4)(f):**

Mayor Mullinax stated that the City Council needed to have a Closed Session to discuss an economic development matter with the City Attorney.

A motion was made by Council Member Wayne Dellinger, seconded by Robert C. Abernethy, Jr., and unanimously approved that the Council go into Closed Session.

After the Closed Session, Mayor Mullinax called the Council meeting back into regular session.

**ITEM 11. ADJOURNMENT:**

There being no further business to discuss, a motion was made by Council Member Bill Lutz, seconded by Council Member Mary Bess Lawing, and unanimously approved that the July 13, 2010 meeting be adjourned.

Respectfully submitted by:

Robert A. Mullinax, Mayor

Gary L. Herman, Public Information Officer